IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8404 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE PRADIP KUMAR SARKAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

RONAK TRADING CO.

Versus

LIMBDI MUNICIPALITY

Appearance:

MR SURESH M SHAH for Petitioners
MR PS CHAMPANERI for Respondent No. 1

CORAM : MR.JUSTICE PRADIP KUMAR SARKAR

Date of decision: 03/05/2000

ORAL JUDGEMENT

Heard Mr. S.M. Shah, learned counsel appearing

on behalf of the petitioner. None appears for the respondent.

2. Learned counsel for the petitioner Mr. Shah submitted that the present petition was filed against the order passed by the Jt. District Judge, Surendranagar on 23-11-1990 in Civil Misc. Appeal No. 67 of 1990. Learned Jt. District Judge refused to grant interim relief to the petitioner in the said appeal. Having felt aggrieved by the refusal order, present petition has been filed.

3. Learned counsel for the petitioner submitted that the matter is pending from 1990 and the original Civil Misc. Appeal might have been disposed of in the meantime. But since the petitioner is not in contact with him, he is not aware about the latest position of the Civil Misc. Appeal pending before the Jt. District Judge. Learned counsel therefore submitted that the matter is pending since long time this can be disposed of with a direction to the Jt. District Judge, Surendranagar to dispose of the appeal within a period of three months from the date of receipt of the present order, if the same is not disposed of in the meantime and to continue the ad-interim order passed by this Court on 19-1-1991 till the said appeal is decided.

4. Since the petitioner is not taking any interest and the matter is pending for long time, I am of the view that the matter should be disposed of. Accordingly the Jt. District Judge, Surendranagar is directed to dispose of the Civil Misc. Appeal No. 67/90 within three months from the date of receipt of writ of the present matter, if the same is not already disposed of, and the ad-interim order passed by this Court on 19-1-1991 shall remain in force till the disposal of the Civil Misc. Appeal. With the aforesaid observations and directions this petition is disposed of. Rule discharged. However the ad interim relief to continue as aforesaid. No order as to costs.

Dt: 3-5-2000 (P.K. Sarkar, J)

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